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July 5, 1989

VIA TELECOPY AND FEDERAL EXPRESS

Carol F. Baschon, Esq.
Assistant Regional Counsel
United States Environmental Protection Agency
Region IV
345 Courtland Street
Atlanta, GA 30365

Dear Ms. Baschon:

I received your June 23, 1989 letter forwarding the draft Administrative Consent Order regarding the site at the Carrier Air Conditioning plant in Collierville, Tennessee. Carrier is disappointed by EPA's refusal to work with Carrier under either the Resource Conservation and Recovery Act or Safe Water Drinking Act. We are disappointed because, for reasons previously stated, we think that the Agency's insistence on cleaning up the site under CERCLA may delay clean-up and increase expense for no good environmental reason. Nonetheless, Carrier is prepared to negotiate in good faith to resolve this matter to our mutual satisfaction. Towards this end, we propose a meeting in EPA's Region IV Atlanta offices between representatives of Carrier and the Agency on Friday, July 14, 1989, at 9:30 a.m. to discuss the technical substance of a possible agreement. This meeting time was previously discussed and tentatively approved by you in a telephone conversation between you and my associate, Peter Robertson.

We have received assurances by Region IV representatives during our prior meetings and telephone conversations that EPA will seek to tailor the requested work to the needs of the site and not insist on needless repetition of work already performed satisfactorily for the State of Tennessee. We request that the Agency identify those areas where it believes additional work may be needed. We hope such requested work will not impede Carrier's



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ability to continue source control measures now underway or to conduct additional source control measures very soon. Towards that end, it is our intention to have our technical consultants present at the meeting so that we can focus most productively on measures to remedy this site expeditiously and cost-effectively.

Please call me after you have received this letter to confirm our meeting. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Russell V. Randle". The signature is written in dark ink and is positioned above the printed name and title.

Russell V. Randle
Counsel to Carrier Corporation

RVR/jep